

Na'wahine Ohana

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Testimony to the US dept. of Justice/ Dept of the Interior
November 22, 1999

My name is Ana Na'wahine-Kahoopili. I am Kanaka Maoli. I am from the Ahupua'a of Kalahiki, South Kona. I speak to you today on behalf of over 400 of my ohana on the issues facing the Kanaka Maoli today. I will speak to you today of the continued unbridled and senseless development of our ancestral lands.

I now reside in the Ahupua'a of Pu'u Kapu in the district of South Kohala, Hawaiian Home Lands.

Since time immemorial the Kanaka Maoli have lived in harmony with the natural world. The ahupua'a was accessible to us, for the purpose's of subsistence IE: traditional and customary rights, mountain to ocean. These are the rights of the ahupua'a tenants. Rights guaranteed to us.

There is a continuous, direct assault on the perpetuation of the inherent rights of my people in this and many other regards. We have an unbroken lineage that connects us to our ancestral lands and cultural practices. In fact according to the United Nations Charter Declarations of Principles drafted by the World Council of Indigenous Peoples you are in violation of Principles 9, 11 and 12 at minimum. For the record I will read these principles to you:

Principle 9: Indigenous Peoples shall have exclusive rights to their traditional lands and its resources, where the lands and resources of the Indigenous Peoples have been taken away without their free will and informed consent such lands and resources shall be returned.

Principle 11: All Indigenous Peoples may for their own needs freely use their natural wealth and resources in accordance with principle 9 and 10.

Principle 12: No action or course of conduct may be undertaken which directly or indirectly may result in the destruction of land, air, water, sea, wildlife, habitat or natural resources without the free and informed consent of the Indigenous Peoples affected.

Article XII: Hawaiian Affairs; Sec. 7 Traditional and Customary Rights: The State reaffirms and shall protect all rights, customary and traditionally exercised for subsistence, cultural and religious purposes and possessed by Ahupua'a tenants who are descendants of Native Hawaiians who inhabited the Hawaiian Islands prior to 1778.

Article XI Conservation, Control, and Development of Resources Sec. 1: For the benefit of present and future generations, the State of Hawai'i and its political sub-divisions shall conserve and protect Hawai'i's natural beauty and all

natural resources, including land, water, air, minerals, and energy resources, and shall promote the development and utilization of these resources in a manner consistent with their conservation and in furtherance of the self-sufficiency of the State. ALL NATURAL RESOURCES ARE HELD IN TRUST BY THE STATE FOR THE BENEFIT OF THE PEOPLE.

SEC. 9 Environmental Rights: Each person has the right to a clean and healthful environment as defined by laws relating to environmental quality, including control of pollution and conservation, protection and enhancement of Natural resources. Any person may enforce this right against any party, public or private, through appropriate legal proceedings.

ARTICLE IX Public Health and Welfare SEC. 8 Preservation of a Healthful Environment STATES; THE STATE SHALL HAVE THE POWER TO PROMOTE AND MAINTAIN A HEALTHFUL ENVIRONMENT, INCLUDING THE PREVENTION OF ANY EXCESSIVE DEMANDS UPON THE ENVIRONMENT AND THE STATE'S IE; PEOPLES RESOURCES.

My ohana considers the dismantling of our Nation and our Inherent rights as the Indigenous Peoples of these lands a violation of your trust responsibilities, responsibilities you are charged to uphold under Federal and International Law.